

## **REMARKS**

This is a full and timely response to the Office Action mailed August 22, 2007.

Applicant has amended claims 14, 25, 26, and 32, and added new claim 34, as indicated above. Upon entry of the amendments in this response, claims 14, 16, 17 and 20 – 34 are pending. Applicant respectfully requests that the application and all pending claims be reconsidered and allowed.

### I. Allowed Claims 20, 21 and 27 - 33

Applicant acknowledges that claims 20, 21 and 27 – 33 have been allowed. However, as explained below, Applicant respectfully submits that all other pending claims (claims 14, 16, 17, 22 – 26, and 34) are also patentable over the cited art and, therefore, should also be allowed.

### II. Rejection of Claims 14, 16, and 24 Under 35 U.S.C. 102(e)

The Office Action rejects claims 14, 16, and 24 under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0175272 to Shimizu (“the ‘272 Publication”). Applicant respectfully submits that independent claim 14, as amended, is patentable over the ‘272 Publication for at least the reason that the reference fails to disclose, teach, or suggest all of the elements of the respective claims.

Independent claim 14 is directed to an optical receiver circuit comprising a differential amplifier, an optical reception device, and an electrical element for simulating the electrical behavior of the optical reception device in the illumination-free case. The optical reception device and the electrical element are connected to respective inputs of the differential amplifier by first and second preamplifiers. Independent claim 14 recites that the first preamplifier and the second preamplifier are identical user-settable transimpedance

amplifiers. The '272 Publication does not disclose, teach, or suggest the amplifiers A1 and A2 connected to the photodiode D1 and dummy photodiode D2 being user-settable. The '272 Publication discloses amplifiers A1 and A2 having respective impedance circuits Z1 and Z2. While the impedance circuits are composed of identical circuits (in FIG. 1,  $R1=R2$ ,  $Q1=Q2$ , and  $C1=C2$ ), the impedance circuits are *not settable by a user of the optical reception circuit*. On the contrary, the optical reception circuit recited in independent claim 14 enables a user to set the characteristics of the transimpedance amplifiers. Applicant respectfully asserts that this feature or element is not disclosed in the '272 Publication. For at least this reason, Applicant respectfully submits that the rejection of independent claim 14 under 35 U.S.C. §102(e) is improper and should be withdrawn. Dependent claims 16 and 24 (which depend from independent claim 14) are also patentable over the '272 Publication patent for at least the reason that these claims include all of the elements of the corresponding base claim. Accordingly, Applicant respectfully requests that the rejection of claims 14, 16, and 24 be withdrawn and the claims allowed.

### III. Rejection of Claims 17, 22, 23, 25 and 26 Under 35 U.S.C. 103

The Office Action rejects claims 17, 22, 23, 25 and 26 under 35 U.S.C. 103 as allegedly being unpatentable over the '272 Publication in combination with various secondary references. Applicant respectfully asserts that claims 17, 22, 23, 25 and 26 (each of which depend from independent claim 14) are also patentable over the '272 Publication in view of the secondary references for at least the reason that these claims include all of the elements of the corresponding base claim. While Applicant does not concede that the Office Action has established a prima facie case for combining the references, Applicant submits that none of these references discloses, teaches, or suggests the element recited in independent claim 14, as discussed above, and therefore fails to correct the deficiency of the

‘272 Publication. For at least this reason, Applicant respectfully submits that the rejection of dependent claims 17, 22, 23 25 and 26 should be withdrawn and the claims allowed.

## CONCLUSION

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims 14, 16, 17 and 20 – 34 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (813) 382-9345.

Respectfully submitted,

/Adam E. Crall/

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## CERTIFICATE OF MAILING

I hereby certify that this correspondence, including any items indicated as attached or included, is being electronically submitted via EFS-Web to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Date: November 23, 2007

/Adam E. Crall/

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Signature